

Date of decision: 12-12-1995

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

Mr. S.M. Mazgaokar for the petitioner
Mr. S.K. Zaveri for the respondents.

Coram: S. K. KESHOTE, J
(12-12-1995)

ORAL JUDGMENT:

The petitioner who was working as Gram Sevak at Limbodra in the office of the Sub Divisional Agricultural Officer has filed this writ petition in which he prayed that the respondents be directed to treat the services of the

petitioner as Gram Sevak, Limbodra, continuous upon his selection and regular appointment to the said post as per orders at Annexure-E (collectively) with effect from 25-11-1982 and to give him all consequential benefits like surrender leave pay etc., arising from such appointment. It has further been prayed to grant an injunction restraining the respondents from implementing the orders dated 22-11-1982 (annexure F) and from preventing the petitioner from discharging his duties as Gram Sevak, Libodra. Under order dated 22-11-1982 (annexure-F) the petitioner was ordered to be released from service as Gram Sevak.

2. This writ petition came up for consideration before this Court on 9-12-1982, when notice was issued and by ad-interim relief the respondents were restrained from filling the post without permission of the Court. On 17-12-1982 rule was issued and the ad- interim relief which

was granted earlier was modified and the respondents were directed to permit the petitioner to resume his duties without prejudice to the contentions of either side.

3. Today both the learned counsel for the parties have admitted that in pursuance of the order of this court the petitioner was allowed to resume his duties and he continues to work on the post till date. Both the counsel for the parties stated that they have come to an agreement that this writ petition be disposed of with the direction that the services of the petitioner will be considered for regularisation as per Government Circular dated 18-12-1991, a copy of which has been produced today in the Court.

4. In the result this writ petition is disposed of with the direction that the case of the petitioner for regularisation on the post of Gram Sevak shall be considered by the respondents in accordance with Government Circular dated 18-12-1991, and the petitioner, on regularisation of his services, shall be entitled to all consequential benefits. Rule made absolute in the aforesaid terms, with no order as to costs.

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